

stated at the hearing that they do not oppose dismissal of this suit for failure to exhaust remedies.²

Therefore, Defendant United States of America's Motion to Dismiss for Insufficient Service of Process Under Rule 12(b)(5), for Lack of Personal Jurisdiction Under Rule 12(b)(2), and for Lack of Subject Matter Jurisdiction Under Rule 12(b)(1) (Dkt. 5) is GRANTED, and this matter is DISMISSED without PREJUDICE.

This matter shall be closed on the Court's docket, and all costs shall be borne by the party incurring same.

SO ORDERED.

SIGNED this 12th day of June, 2012.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE

²A minor Plaintiff is also named in the suit. Plaintiffs Angela and Ivan Zellner are parents of M.Z. and filed the suit on her behalf. At the hearing, the Court cautioned Plaintiffs that they cannot represent the interests of another *pro se*. Nonetheless, because Plaintiffs did not object to dismissal of this suit and because they filed it on her behalf, it will be dismissed without prejudice as to her purported claims as well.